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Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/993,908	
	Filing Date	11/06/2001	
	First Named Inventor	William J. Gordon-Kamm	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	8	Attorney Docket Number	1146

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Filing of an IDS 2) Int'l Search Report
Remarks		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Kim M. Hagemann
Signature	<i>Kim M. Hagemann</i>
Date	December 16, 2003

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Kim M. Hagemann		
Signature	<i>Kim M. Hagemann</i>	Date	December 16, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Date

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Signature

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- 1) Transmittal Form/1 Page (1 copy)
- 2) Filing of an IDS Under 37 CFR 1.97(b)/1 Page (1 copy)
- 3) IDS by Applicant/2 Pages (1 copy)
- 4) Copy of Int'l Search Report/4 Pages (1 copy)
- 5) 2 IDS References

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : William J. Gordon-Kamm
Application Number : 09/993,808
Filing Date : 11-06-2001
Title : Cell Cycle Nucleic Acids, Polypeptides and Uses
Thereof

Group/Art Unit :
Examiner :

Attorney Docket Number : 1146

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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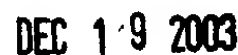
**FILING OF AN INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(b)**

The attached list of citations on PTO Form 1449 is being submitted under the provisions of 37 CFR §1.56 and §1.97(b) in order to comply with the duty of disclosure. Their inclusion herein should not, however, be construed as an admission that any particular cited reference is effective prior art or that it discloses or renders obvious any aspect of the claimed invention. A copy of each cited reference is enclosed, except for those references which are already part of the filewrapper. This statement is being filed within the time period specified in 37 CFR §1.97(b). No fee is required.

Respectfully submitted,

Kim M. Hagemann
Agent for Applicant(s)
Registration No. 52,982

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Corporate Intellectual Property
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449B/PTO

(Use as many sheets as necessary)

Sheet

2

of

2

Complete if Known

Application Number	09/993,308
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<i>Filing Date</i>	11/06/2001
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First Named Inventor	William J. Gordon-Kamm
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Art Unit

Examiner Name

Attorney Docket Number	1146
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NON PATENT LITERATURE DOCUMENTS

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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 1146-PCT	FOR FURTHER ACTION	see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.
International application No. PCT/US01/44038	International filing date (<i>day/month/year</i>) 06 November 2001 (06.11.2001)	(Earliest) Priority Date (<i>day/month/year</i>) 07 November 2000 (07.11.2000)
Applicant PIONEER HI-BRED INTERNATIONAL, INC.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the Report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☒

contained in the international application in written form.

☒

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority in written form.

☐

furnished subsequently to this Authority in computer readable form.

☐

the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐

the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (See Box II).

4. With regard to the **title**,

☒

the text is approved as submitted by the applicant.

☐

the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒

the text is approved as submitted by the applicant.

☐

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No. _____

☐

as suggested by the applicant.

☐

because the applicant failed to suggest a figure.

☐

because this figure better characterizes the invention.



None of the figures

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US01/44038

Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This international report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claim Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claim Nos.: 2 and 65
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
Claims 2 and 65 were not searched because the submitted CRF was defective.
3. ☐ Claim Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

☐
☐

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US01/44038

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : C12N 15/29,15/70,15/81,15/82,15/866; A01H 5/00,5/10; C07K 14/415

US CL : 435/252.3,254.2, 320.1,348,419,468; 530/370; 536/23.6; 800286,290,298,306,312,314,320,320.1,320.2,32

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 435/252.3,254.2, 320.1,348,419,468; 530/370; 536/23.6; 800286,290,298,306,312,314,320,320.1,320.2,32

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

Please See Continuation Sheet

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 98/37212 A2 (PLANT GENETIC SYSTEMS, N.V.) 27 August 1998 (27.08.1998), page 5 lines 26-33.	28-32, 50-64, 66-68, 74-75
X	WO 99/14331 A1 (CROPDESIGN NV) 25 March 1999 (25.03.99), see entire application.	1, 3-27, 33-49, 69-73, 76-78
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Y		28-32, 50-64, 66-68, 74-75
X, P	WANG et al. Expression of the plant cyclin-dependent kinase inhibitor ICK1 affects cell division, plant growth and morphology. The Plant Journal. December 2000, Vol. 24, No. 5, pages 613-623, see entire article.	1, 4-7, 12-15, 17, 19, 24, 33-35, 37, 39-40, 43-48, 69-72
---		-----
Y, P		16, 18, 20-23, 25-32, 36, 38, 41-42, 49-64, 66-68, 73-78

☐ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

10 July 2003 (10.07.2003)

Date of mailing of the international search report

05 DEC 2003

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Facsimile No. (703)305-3230

Authorized officer

Cynthia Collins

Telephone No. (703) 308-0196

INTERNATIONAL SEARCH REPORT

PCT/US01/44038

Continuation of B. FIELDS SEARCHED Item 3:

WEST/STN (agricola, biosis, biotechno, caba, caplus, medline): inventor names, cyclin-dependent kinase inhibitor, plant, maize, zeamays, corn